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4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA
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7 CLYDE WEST,
8 Plaintiff,

9 v.

10 JEFF TINDALE, *et al.*,
11 Defendants.

Case No. 2:25-cv-00165-NJK

Order

[Docket No. 30]


12 Pending before the Court is the parties' stipulation for dismissal of all claims with
13 prejudice. Docket No. 30. The parties submit that their "respective settlements with one another
14 were entered into as a result of good-faith, arms-length settlement negotiations and, therefore,
15 constitute good-faith settlements as contemplated by Chapter 17 of the Nevada Revised States,
16 including NRS § 17.245." *Id.* at 3.

17 However, under Nevada law, the determination of whether a settlement is entered in "good
18 faith" under NRS § 17.245 is "left to the discretion of the trial court based upon all relevant facts
19 available." *Goodrich v. GRG Enters., LLC*, No. 2:20-cv-671-JCM-NJK, 2021 WL 537241, at *1
20 (D. Nev. Jan. 11, 2021) (internal citation omitted). The factors discussed in *In re MGM Grand*
21 *Hotel Fire Litigation*, 570 F. Supp. 913, 927 (D. Nev. 1983), may be among the relevant facts a
22 court may choose to consider in the exercise of its "considerable discretion." *Id.* Such factors
23 include "the amount paid in settlement, the allocation of the settlement proceeds among plaintiffs,
24 the insurance policy limits of settling defendants, the financial condition of settling defendants,
25 and the existence of collusion, fraud or tortious conduct aimed to injure the interests of non-settling
26 defendants." *In re MGM*, 570 F. Supp. at 927 (citing *Commercial Union Ins. Co. v. Ford Motor*
27 *Co.*, 640 F.2d 210 (9th Cir. 1981)).
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1 Here, the parties fail to provide facts that the Court could use to determine whether the
2 settlement is entered in “good faith” under NRS § 17.245. *See* Docket No. 30. Accordingly, the
3 parties’ stipulation is **DENIED** without prejudice. Docket No. 30. The parties must file a request
4 for determination of good faith settlement addressing the relevant standard, no later than May 27,
5 2025.

6 IT IS SO ORDERED.

7 Dated: May 12, 2025

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9 Nancy J. Koppe
10 United States Magistrate Judge
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